



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assignee: Continental Power Exchange, Inc.

Serial No.: 08/516,646

Filing Date: August 18, 1995

Group Art No.: 2411

Examiner: 2305

Title: Apparatus and Method for Trading Electric Energy

Attorney Docket No.: ACONT.0101 (new)

RECEIVED
APR - 8 98
GROUP 2600

REVISED POWER OF ATTORNEY

Please **revoke** all prior powers of attorney in the above-identified application.

I hereby **appoint** the following attorneys, each with the firm of Carstens Yee & Cahoon, L.L.P.:

David W. Carstens
Duke W. Yee
Colin P. Cahoon

Registration No. 34,134
Registration No. 34,285
Registration No. 38,836

as my/our attorneys or agents to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

Carstens Yee & Cahoon, L.L.P.
P.O. Box 802334
Dallas, Texas 75380

and direct any calls to **David Carstens** at (972) 997-7290.

I am the **Assignee of Record**. A Certificate Under 37 CFR 3.73(b) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required for filing or during prosecution with the above-identified application or credit any over payment to Deposit Account 50-0392. A duplicate of this sheet is enclosed.

Respectfully submitted,

By:



Brent Comstock, Vice President
Information Services
Continental Power Exchange, Inc.
Assignee of Record

Date:

3/2/98



CERTIFICATE UNDER 37 CFR 3.73(b)

Continental Power Exchange a corporation of the state of **Delaware**
certifies that it is the assignee of the entire right, title, and interest in the patent
application identified above by virtue of a chain of title from the inventor(s), of the patent
application identified above, to the current assignee as shown below:

1. From: Tuck et al. To: Intercoast Energy Company
The document was recorded in the Patent and Trademark Office at
Reel: 7688 Frame: 0618 or for which a copy thereof is attached.
2. From: Intercoast Energy Company To: Continental Power Exchange
The document was filed for recordation in the Patent and Trademark Office on
November 18, 1997, a copy thereof is attached.

☒ Copies of assignments or other documents in the chain of title are attached.

The undersigned is empowered to sign this certificate on behalf of the assignee.

March 2, 1998
Date

Brent Comstock
Signature

Brent Comstock
Typed or Printed Name

Vice President, Information Systems
Title

RECEIVED
APR - 8 98
GROUP 2600

ASSIGNMENT

WHEREAS, InterCoast Energy Company, a Delaware corporation (the "Assignor"), with an address at 666 Grand Avenue, Suite 2600, Des Moines, Iowa, 50303 is the owner of record of all of the inventions, apparatus, technology and methods of trading electricity (hereinafter referred to as the "Technology") described as "APPARATUS AND PROCESS FOR TRADING ELECTRICAL POWER" and for which application for Letters Patent of the United States was filed on August 18, 1995 and assigned Serial No. 08/516,646 (hereinafter referred to as the "Letters Patent Application");

WHEREAS, Continental Power Exchange, Inc., a Delaware corporation (the "Assignee"), having its principal office at 2100 RiverEdge, Atlanta, Georgia, 30328 desires to acquire all of the right, title and interest in, to and under the Technology and the Letters Patent Application in the United States and in any and all foreign countries;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration (including, without limitation, the covenants and agreements herein contained) the receipt whereof is hereby acknowledged and subject to the terms and conditions set forth below, Assignor hereby sells, assigns, and transfers unto Assignee, the full and exclusive right to the Technology in the United States and its territorial possessions and in all foreign countries and the entire right, title and interest in and to any and all patents which may be granted therefor under the Letters Patent Application or otherwise in the United States and its territorial possessions and in any and all foreign countries, and in and to any and all divisions, reissues, continuations and extensions thereof.

Notwithstanding the foregoing, Assignor hereby reserves, and Assignee agrees to pay Assignor, a royalty of 50% of any and all income derived from the licensing or other transfer of the Technology to any Person other than the Assignor. For purposes of this Assignment, "Person" means any natural person, corporation, partnership, trust, estate, governmental unit or other entity.

Assignor hereby authorizes and requests the Patent Office of the United States and any and all foreign countries to issue any and all of said patents, when granted to Assignee, as the assignee of all of its right, title and interest in and to the same, for the sole use and enjoyment of Assignee, its successors and assigns. Any subsequent Assignment of the Technology or the Letters Patent Application by the Company or its assigns shall be subject to the royalty interests and rights of Assignor set forth above.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affix our seals this 24th day of October, 1997 at 2:45 PM Central Time.

InterCoast Energy Company

By: [Signature]
Name: Mark Wells
Title: President
Date: October 24, 1997

November 19, 1997
45626.0101

**EXPRESS MAIL CERTIFICATE OF MAILING
UNDER 37 C.F.R. 1.10**

**"Express Mail" Mailing Label No.: EM047711003US
Date of Deposit: November 19, 1997**

I hereby certify that the papers listed below and attached hereto are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and addressed to: Box Patent Application - Commissioner of Patents and Trademarks, Washington, D. C. 20231

1. Recordation Cover Sheet Form PTO-1505
2. Assignment
3. Check in the amount of \$40.00 for filing fees;
4. Express Mail Certificate; and
5. Postcard acknowledgment

Printed Name:

ASSIGNMENT

WHEREAS, the Undersigned have invented certain new and useful improvements as below entitled, for which application for United States Letters Patent is made, said application having been executed on the date set forth below; and

WHEREAS, Intercoast Energy Company (hereinafter "Assignee"), a Delaware corporation with a place of business at 666 Grand Avenue, Suite 2600, Des Moines, Iowa 50303 desires to acquire my entire right, title and interest in and to the invention, and in and to said application and any Letters Patent that may issue thereon;

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, the Undersigned:

Hereby sell, assign and transfer to Assignee, its successors, assigns and legal representatives, the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States entitled:

APPARATUS AND METHOD FOR TRADING ELECTRICAL POWER

said Application assigned Serial Number 08/516,646 and filed on August 18, 1995 and in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said improvements; and in and to all utility models, industrial models, certificates of invention, and designs on said improvements;

Agree that said Assignee may apply for and receive Letters Patent for said improvements in its own name; and that, when requested, without charge to but at the expense of said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the Undersigned will execute all divisional, continuing, substitute, renewal, reissue and all other patent applications, and all other like rights of exclusion in any country on any and all said improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns and representatives, all facts known to the Undersigned relating to said improvements and the history thereof; and generally do everything possible which said Assignee, its successors, assigns and representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and vesting title to said improvements and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns and legal representatives; and

Agree that the Undersigned will upon request of Assignee, render prompt assistance and cooperation in the prosecution of legal proceedings involving said improvements, said applications and patents granted thereon, including oppositions, cancellation proceedings, priority contests, public use proceedings and court proceedings, and testify in such proceedings if requested, provided, however, that the expense which may be incurred by the Undersigned in lending such assistance and cooperation be paid by Assignee; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the Undersigned, except as set forth below, and that full right to convey the same as herein expressed is possessed by the Undersigned.

This assignment shall be binding on the heirs and legal representatives of the Undersigned.

Full name of first inventor: David Tuck

Residence: 3021 Townside Ln.
Woodstock, GA 30188

Citizenship: United States of America

Date 9-26-95 Signature David J Tuck

STATE OF Georgia §
COUNTY OF Cherokee §

This 26th day of Sept., 1995 before me personally appeared the above named David Tuck, to me personally known as the individual who executed the foregoing instrument, who acknowledged to me that he executed the same of his own free will for the purpose therein set forth.

[Signature]
Notary Public

My Commission Expires: 9/26/95

Full name of second inventor:

Bruce Weier

Residence:

4100 Green View Dr.
Urbandale, IA 50322

Citizenship:

United States of America

Date

10/18/95

Signature

B. Weier

STATE OF IOWA)
COUNTY OF POLK)

This 18th day of October, 1995 before me personally appeared the above named Bruce Weier, to me personally known as the individual who executed the foregoing instrument, who acknowledged to me that he executed the same of his own free will for the purpose therein set forth.

Evonne E. Schaff
Notary Public

My Commission Expires: 11-3-95



Full name of third inventor: John Stojka

Residence: 5308 Brooke Farm Dr.
Dunwoody, GA 30338

Citizenship: United States of America

Date 9/26/95 Signature John P. Stojka

STATE OF Georgia §
COUNTY OF Cherokee §

This 26th day of Sept., 1995 before me personally appeared the above named John Stojka, to me personally known as the individual who executed the foregoing instrument, who acknowledged to me that he executed the same of his own free will for the purpose therein set forth.

Linda Bell
Notary Public

My Commission Expires: 6/2/98

50322

CERTIFICATE UNDER 37 CFR 3.73(b)

Applicant: _____

Application No.: _____ Filed: _____

For: _____

_____, a _____,
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date : _____

Name : _____

Title : _____

Signature: _____



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assignee: Continental Power Exchange, Inc.

Serial No.: 08/516,646

Filing Date: August 18, 1995

Group Art No.: 2411

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Title: Apparatus and Method for Trading Electric Energy

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Please **revoke** all prior powers of attorney in the above-identified application.

I hereby **appoint** the following attorneys, each with the firm of Carstens Yee & Cahoon, L.L.P.:

David W. Carstens

Registration No. 34,134

Duke W. Yee

Registration No. 34,285

Colin P. Cahoon

Registration No. 38,836

as my/our attorneys or agents to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

Carstens Yee & Cahoon, L.L.P.

P.O. Box 802334

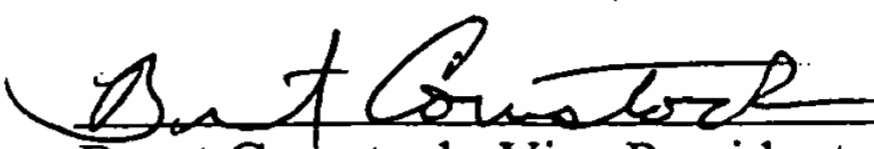
Dallas, Texas 75380

and direct any calls to **David Carstens** at (972) 997-7290.

I am the **Assignee of Record**. A Certificate Under 37 CFR 3.73(b) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required for filing or during prosecution with the above-identified application or credit any over payment to Deposit Account 50-0392. A duplicate of this sheet is enclosed.

Respectfully submitted,

By: 
Brent Comstock, Vice President
Information Services
Continental Power Exchange, Inc.
Assignee of Record

Date: 3/2/98



CERTIFICATE UNDER 37 CFR 3.73(b)

Continental Power Exchange a corporation of the state of **Delaware**
certifies that it is the assignee of the entire right, title, and interest in the patent
application identified above by virtue of a chain of title from the inventor(s), of the patent
application identified above, to the current assignee as shown below:

1. From: Tuck et al. To: Intercoast Energy Company
The document was recorded in the Patent and Trademark Office at
Reel: 7688 Frame: 0618 or for which a copy thereof is attached.
2. From: Intercoast Energy Company To: Continental Power Exchange
The document was filed for recordation in the Patent and Trademark Office on
November 18, 1997, a copy thereof is attached.

☒ Copies of assignments or other documents in the chain of title are attached.

The undersigned is empowered to sign this certificate on behalf of the assignee.

March 2, 1998
Date

Brent Comstock
Signature

Brent Comstock
Typed or Printed Name

Vice President, Information Systems
Title

ASSIGNMENT

WHEREAS, InterCoast Energy Company, a Delaware corporation (the "Assignor"), with an address at 666 Grand Avenue, Suite 2600, Des Moines, Iowa, 50303 is the owner of record of all of the inventions, apparatus, technology and methods of trading electricity (hereinafter referred to as the "Technology") described as "APPARATUS AND PROCESS FOR TRADING ELECTRICAL POWER" and for which application for Letters Patent of the United States was filed on August 18, 1995 and assigned Serial No. 08/516,646 (hereinafter referred to as the "Letters Patent Application");

WHEREAS, Continental Power Exchange, Inc., a Delaware corporation (the "Assignee"), having its principal office at 2100 RiverEdge, Atlanta, Georgia, 30328 desires to acquire all of the right, title and interest in, to and under the Technology and the Letters Patent Application in the United States and in any and all foreign countries;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration (including, without limitation, the covenants and agreements herein contained) the receipt whereof is hereby acknowledged and subject to the terms and conditions set forth below, Assignor hereby sells, assigns, and transfers unto Assignee, the full and exclusive right to the Technology in the United States and its territorial possessions and in all foreign countries and the entire right, title and interest in and to any and all patents which may be granted therefor under the Letters Patent Application or otherwise in the United States and its territorial possessions and in any and all foreign countries, and in and to any and all divisions, reissues, continuations and extensions thereof.

Notwithstanding the foregoing, Assignor hereby reserves, and Assignee agrees to pay Assignor, a royalty of 50% of any and all income derived from the licensing or other transfer of the Technology to any Person other than the Assignor. For purposes of this Assignment, "Person" means any natural person, corporation, partnership, trust, estate, governmental unit or other entity.

Assignor hereby authorizes and requests the Patent Office of the United States and any and all foreign countries to issue any and all of said patents, when granted to Assignee, as the assignee of all of its right, title and interest in and to the same, for the sole use and enjoyment of Assignee, its successors and assigns. Any subsequent Assignment of the Technology or the Letters Patent Application by the Company or its assigns shall be subject to the royalty interests and rights of Assignor set forth above.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affix our seals this 24th day of October, 1997 at 2:45 PM Central Time.

InterCoast Energy Company

By: [Signature]
Name: Alan L. Wells
Title: President
Date: October 24, 1997

November 19, 1997
45626.0101

**EXPRESS MAIL CERTIFICATE OF MAILING
UNDER 37 C.F.R. 1.10**

**"Express Mail" Mailing Label No.: EM047711003US
Date of Deposit: November 19, 1997**

I hereby certify that the papers listed below and attached hereto are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and addressed to: Box Patent Application - Commissioner of Patents and Trademarks, Washington, D. C. 20231

1. Recordation Cover Sheet Form PTO-1505
2. Assignment
3. Check in the amount of \$40.00 for filing fees;
4. Express Mail Certificate; and
5. Postcard acknowledgment

Printed Name:

ASSIGNMENT

WHEREAS, the Undersigned have invented certain new and useful improvements as below entitled, for which application for United States Letters Patent is made, said application having been executed on the date set forth below; and

WHEREAS, Intercoast Energy Company (hereinafter "Assignee"), a Delaware corporation with a place of business at 666 Grand Avenue, Suite 2600, Des Moines, Iowa 50303 desires to acquire my entire right, title and interest in and to the invention, and in and to said application and any Letters Patent that may issue thereon;

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, the Undersigned:

Hereby sell, assign and transfer to Assignee, its successors, assigns and legal representatives, the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States entitled:

APPARATUS AND METHOD FOR TRADING ELECTRICAL POWER

said Application assigned Serial Number 08/516,646 and filed on August 18, 1995 and in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said improvements; and in and to all utility models, industrial models, certificates of invention, and designs on said improvements;

Agree that said Assignee may apply for and receive Letters Patent for said improvements in its own name; and that, when requested, without charge to but at the expense of said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the Undersigned will execute all divisional, continuing, substitute, renewal, reissue and all other patent applications, and all other like rights of exclusion in any country on any and all said improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns and representatives, all facts known to the Undersigned relating to said improvements and the history thereof; and generally do everything possible which said Assignee, its successors, assigns and representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and vesting title to said improvements and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns and legal representatives; and

Agree that the Undersigned will upon request of Assignee, render prompt assistance and cooperation in the prosecution of legal proceedings involving said improvements, said applications and patents granted thereon, including oppositions, cancellation proceedings, priority contests, public use proceedings and court proceedings, and testify in such proceedings if requested, provided, however, that the expense which may be incurred by the Undersigned in lending such assistance and cooperation be paid by Assignee; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the Undersigned, except as set forth below, and that full right to convey the same as herein expressed is possessed by the Undersigned.

This assignment shall be binding on the heirs and legal representatives of the Undersigned.

Full name of first inventor: David Tuck

Residence: 3021 Townside Ln.
Woodstock, GA 30188

Citizenship: United States of America

Date 9-26-95 Signature David J Tuck

STATE OF Georgia §
COUNTY OF Cobb §

This 26th day of Sept., 1995 before me personally appeared the above named David Tuck, to me personally known as the individual who executed the foregoing instrument, who acknowledged to me that he executed the same of his own free will for the purpose therein set forth.

[Signature]
Notary Public

My Commission Expires: 9/26/95

Full name of second inventor:

Bruce Weier

Residence:

4100 Green View Dr.
Urbandale, IA 50322

Citizenship:

United States of America

Date

10/18/95

Signature

B. Weier

STATE OF IOWA)
COUNTY OF POLK)

This 18th day of October, 1995 before me personally appeared the above named Bruce Weier, to me personally known as the individual who executed the foregoing instrument, who acknowledged to me that he executed the same of his own free will for the purpose therein set forth.

Evonne E. Schaff
Notary Public

My Commission Expires: 11-3-95



Full name of third inventor: John Stojka

Residence: 5308 Brooke Farm Dr.
Dunwoody, GA 30338

Citizenship: United States of America

Date 9/26/95 Signature John P. Stojka

STATE OF Georgia §
COUNTY OF Cobb §

This 26th day of Sept., 1995 before me personally appeared the above named John Stojka, to me personally known as the individual who executed the foregoing instrument, who acknowledged to me that he executed the same of his own free will for the purpose therein set forth.

Linda Bell
Notary Public

My Commission Expires: 6/2/98

50322

CERTIFICATE UNDER 37 CFR 3.73(b)

Applicant: _____

Application No.: _____ Filed: _____

For: _____

_____, a _____,
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
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Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date : _____

Name : _____

Title : _____

Signature: _____